

MONDAY, MARCH 28, 2011

NINETEENTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 5:00 p.m., and was called to order by Mr. Speaker Ramsey.

PRAYER

The proceedings were opened with prayer by Pastor Mark Thompson of First Baptist Church in Selmar, Tennessee, a guest of Senator Gresham.

PRESENTATION

Senator Yager introduced the Bowers Elementary Color Guard who presented colors and Miss Cheyenne Baughman who sang the *Star Spangled Banner* to the Senate.

PLEDGE OF ALLEGIANCE

Senator Gresham led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 32

Senators present were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

COMMUNICATION

March 28, 2011

The Honorable Ron Ramsey
Speaker of the Senate
One Legislative Plaza
Nashville, Tennessee 37243

Dear Speaker Ramsey:

This is to request your excuse for my absence from Session today, March 28, 2011. Due to personal obligations, I will be unable to attend.

I appreciate your consideration of this request.

Sincerely,

/s/ Jim Kyle

APPROVED: Lieutenant Governor
Ron Ramsey

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bill No. 2098** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILL

The Speaker announced that the following bill was filed for introduction and passed first consideration:

Senate Bill No. 2098 by Senator Ketron.

Fayetteville -- As introduced, subject to local approval, rewrites the charter. Amends Chapter 294 of the Acts of 1903.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 18, 146, 249, 491, 619, 665, 1189, 1656 and 1845** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 18 -- Traffic Safety -- As introduced, eliminates a minimum and maximum range of fines for obscene displays on motor vehicles and specifies that the fine is a flat \$50.00. Amends TCA Section 55-8-187.

House Bill No. 146 -- Education, Dept. of -- As introduced, adds representative of the Professional Educators of Tennessee to current eligibility list for appointment by Commissioner of Education to state-level safety team to assist with compliance with the "SAVE Act". Amends TCA Title 49, Chapter 6, Part 8.

House Bill No. 249 -- Sunset Laws -- As introduced, extends termination date for the department of education to June 30, 2011. Amends TCA Title 4, Chapter 29, Part 2 and Title 4, Chapter 3, Part 8.

House Bill No. 491 -- Bankruptcy -- As introduced, clarifies that the notice of exemption given by a judgment debtor shall state "Tennessee law provides a \$10,000 exemption" instead of "Tennessee law provides a \$4,000 exemption". Amends TCA Title 26.

House Bill No. 619 -- Sunset Laws -- As introduced, extends the occupational safety and health administration labor advisory council, June 30, 2015. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 3, Part 9.

House Bill No. 665 -- Sunset Laws -- As introduced, extends the occupational safety and health review commission, June 30, 2015. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 3, Part 8.

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House Bill No. 1189 -- Insurance Companies, Agents, Brokers, Policies -- As introduced, declares the statutory remedies and sanctions that apply to specified acts by an insurer, person, or entity required to be licensed, permitted, or authorized by the division of insurance under Title 56. Amends TCA Title 56, Chapter 8, Part 1.

House Bill No. 1656 -- Criminal Offenses -- As introduced, revises various criminal provisions relative to the use of any bank, savings and loan association, savings bank or subsidiary's trade name or trademark. Amends TCA Title 39; Title 45; Title 47 and Title 56.

House Bill No. 1845 -- Insurance Companies, Agents, Brokers, Policies -- As introduced, revises authority of Commissioner of Commerce and Insurance to investigate insurance agents; revises rights of insurance agents under investigation; revises penalties imposed against insurance agents. Amends TCA Section 56-6-112; Section 56-6-117; Section 56-6-120 and Section 56-8-107.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 2090 through 2094 and 2097** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

Senate Bill No. 2090 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 2091 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 2092 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 2093 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 2094 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 2097 Local bill -- held on desk.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 149 through 157** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 149 by Senators Overbey and Woodson.
Memorials, Death -- Max Crotser.

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Senate Joint Resolution No. 150 by Senator Burks.

Memorials, Recognition -- Putnam County 4-H wildlife judging team.

Senate Joint Resolution No. 151 by Senator Burks.

Memorials, Recognition -- Kaylee Radzynski, Mary Desha Medal for Youth.

Senate Joint Resolution No. 152 by Senator Burks.

Memorials, Sports -- Tennessee Tech womens' basketball team, OVC Tournament Champions.

Senate Joint Resolution No. 153 by Senator Burks.

Memorials, Professional Achievement -- Tom Little, recipient of the Mended Heart of the Year award.

Senate Joint Resolution No. 154 by Senator Burks.

Memorials, Recognition -- WCTE-TV Upper Cumberland Public Television.

Senate Joint Resolution No. 155 by Senator Burks.

Memorials, Public Service -- Bobby and Jean Davis.

Senate Joint Resolution No. 156 by Senator Burks.

Memorials, Recognition -- Tennessee Tech business students, winners of TVA's Investment Challenge.

Senate Joint Resolution No. 157 by Senator Haynes.

Memorials, Retirement -- Bill Hance.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 168 and 170; Senate Joint Resolutions Nos. 144 through 148; and Senate Resolutions Nos. 24 and 25** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 168 -- Memorials, Retirement -- Gerald Boyd.

The Speaker announced that he had referred House Joint Resolution No. 168 to the Committee on Calendar.

House Joint Resolution No. 170 -- Memorials, Recognition -- Jeff Fisher.

The Speaker announced that he had referred House Joint Resolution No. 170 to the Committee on Calendar.

Senate Joint Resolution No. 144 -- Memorials, Sports -- Bradley Central High School, 2011 TSSAA Dual Wrestling State Champions.

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The Speaker announced that he had referred Senate Joint Resolution No. 144 to the Committee on Calendar.

Senate Joint Resolution No. 145 -- Attorney General and Reporter -- As introduced, proposes a constitutional amendment to provide for gubernatorial appointment of the attorney general with senatorial confirmation.

The Speaker announced that he had referred Senate Joint Resolution No. 145 to the Committee on Judiciary.

Senate Joint Resolution No. 146 -- Memorials, Sports -- Bob Dudley Smith, Tennessee Sports Hall of Fame.

The Speaker announced that he had referred Senate Joint Resolution No. 146 to the Committee on Calendar.

Senate Joint Resolution No. 147 -- Memorials, Recognition -- University of Tennessee at Chattanooga, 125th anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 147 to the Committee on Calendar.

Senate Joint Resolution No. 148 -- Memorials, Interns -- Timothy Henshaw.

The Speaker announced that he had referred Senate Joint Resolution No. 148 to the Committee on Calendar.

Senate Resolution No. 24 -- Memorials, Sports -- Wayne County High School girls' basketball team, Class A State Champions.

The Speaker announced that he had referred Senate Resolution No. 24 to the Committee on Calendar.

Senate Resolution No. 25 -- Memorials, Personal Occasion -- Mary Faith McCrory Marriott, 80th birthday.

The Speaker announced that he had referred Senate Resolution No. 25 to the Committee on Calendar.

NOTICE

MESSAGE FROM THE HOUSE

March 24, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1528, substituted for House Bill on same subject, amended, and passed by the House.

JOE MCCORD,
Chief Clerk.

CONSENT CALENDAR NO. 1

House Joint Resolution No. 161 -- Memorials, Recognition -- Dr. Helen James, 2010 LESN Recognition Award, National Conference of State Legislators.

House Joint Resolution No. 162 -- Memorials, Recognition -- Central Baptist Church of Hixson, sixtieth anniversary.

House Joint Resolution No. 163 -- Memorials, Sports -- Jellico High School boys' basketball team.

House Joint Resolution No. 164 -- Memorials, Sports -- South Pittsburg High School football team, 2010 Class 1A Blue Cross Bowl State Champions.

House Joint Resolution No. 167 -- Memorials, Retirement -- Gary Wayne Hicks.

House Joint Resolution No. 169 -- Memorials, Professional Achievement -- Reba McEntire, induction into the Country Music Hall of Fame.

Senate Joint Resolution No. 139 -- Memorials, Death -- Dr. Mack Wayne Craig.

Senate Joint Resolution No. 140 -- Memorials, Retirement -- Robert Brown.

Senate Joint Resolution No. 143 -- Memorials, Sports -- Greeneville High School football team, TSSAA Class 4A State Champions.

Senator Faulk moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Senate Bill No. 204 -- Sunset Laws -- As introduced, extends the elevator and amusement device safety board, June 30, 2015. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 121, Part 1.

On motion, Senate Bill No. 204 was made to conform with **House Bill No. 652**.

On motion, House Bill No. 652, on same subject, was substituted for Senate Bill No. 204.

Senate Bill No. 210 -- Sunset Laws -- As introduced, extends the prevailing wage commission, June 30, 2015. Amends TCA Title 4, Chapter 29 and Title 12, Chapter 4, Part 4.

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On motion, Senate Bill No. 210 was made to conform with **House Bill No. 636**.

On motion, House Bill No. 636, on same subject, was substituted for Senate Bill No. 210.

Senate Bill No. 212 -- Sunset Laws -- As introduced, extends the occupational safety and health review commission, June 30, 2015. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 3, Part 8.

On motion, Senate Bill No. 212 was made to conform with **House Bill No. 665**.

On motion, House Bill No. 665, on same subject, was substituted for Senate Bill No. 212.

Senate Bill No. 222 -- Sunset Laws -- As introduced, extends the state unemployment compensation advisory council, June 30, 2015. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 7, Part 6.

On motion, Senate Bill No. 222 was made to conform with **House Bill No. 638**.

On motion, House Bill No. 638, on same subject, was substituted for Senate Bill No. 222.

Senate Bill No. 503 -- Bankruptcy -- As introduced, clarifies that the notice of exemption given by a judgment debtor shall state "Tennessee law provides a \$10,000 exemption" instead of "Tennessee law provides a \$4,000 exemption". Amends TCA Title 26.

On motion, Senate Bill No. 503 was made to conform with **House Bill No. 491**.

On motion, House Bill No. 491, on same subject, was substituted for Senate Bill No. 503.

Senate Bill No. 1119 -- Insurance, Health, Accident -- As introduced, authorizes insurers to use incentives and rewards to encourage or reward participation in a health promotion program. Amends TCA Title 56.

Senate Bill No. 1142 -- Traffic Safety -- As introduced, eliminates a minimum and maximum range of fines for obscene displays on motor vehicles and specifies that the fine is a flat \$50.00. Amends TCA Section 55-8-187.

On motion, Senate Bill No. 1142 was made to conform with **House Bill No. 18**.

On motion, House Bill No. 18, on same subject, was substituted for Senate Bill No. 1142.

Senate Bill No. 1271 -- Driver Licenses -- As introduced, authorizes certain persons with a disability to obtain photo identification license upon proof of identity to the satisfaction of the Commissioner of Safety. Amends TCA Title 55, Chapter 50, Part 3.

Senate Bill No. 1446 -- Consumer Protection -- As introduced, specifies the manner of obtaining fingerprints of certain applicants. Amends TCA Title 47, Chapter 18, Part 55.

Senate Bill No. 1537 -- Banks and Financial Institutions -- As introduced, adds the conference of state bank supervisors and the money transmitter regulators association to list of entities to which the department of financial institutions may release confidential information

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concerning licensees and applicants, if such organizations enter into confidentiality agreements with the commissioner. Amends TCA Title 45, Chapter 7.

Senate Bill No. 1855 -- Special License Plates -- As introduced, authorizes the spouse of a deceased recipient of a Purple Heart memorial registration plate to receive two such registration plates for no cost. Amends TCA Title 55, Chapter 4, Part 2.

Senator Faulk moved that all Senate Bills and House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

CALENDAR

Senator Watson moved that **Senate Bill No. 213** be placed at the heel of the Calendar for today, which motion prevailed.

Senate Bill No. 240 -- Sunset Laws -- As introduced, terminates the board of review, department of labor and workforce development. Amends TCA Title 4, Chapter 29; Section 4-5-319 and Section 50-7-704.

On motion, Senate Bill No. 240 was made to conform with **House Bill No. 622**.

On motion, House Bill No. 622, on same subject, was substituted for Senate Bill No. 240.

Senator Watson moved to amend as follows:

AMENDMENT NO. 1

AMEND by adding the following language immediately preceding Section 3 of the introduced bill and renumbering the subsequent sections accordingly:

SECTION 3. Notwithstanding the provisions of § 4-29-112 or any other law to the contrary, the board of review, department of labor and workforce development, created by § 50-7-601, shall terminate and shall cease to exist upon the effective date of this act.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 622**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

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Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 350 -- Criminal Procedure -- As introduced, provides that a defendant in a criminal case has the right to have a person act as court reporter and make a verbatim recording of all proceedings in open court. Amends TCA Title 20, Chapter 9 and Title 40, Chapter 14.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the language "a person act as court reporter and" in the amendatory language of the bill and substituting instead the language "a court reporter pursuant to Section 40-14-302 or a licensed court reporter pursuant to Title 20, Chapter 9, Part 6 to".

On motion, Amendment No. 1 was adopted.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting the language "criminal case" and substituting instead the language "criminal case, as defined by § 40-14-301(3),".

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 350**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0
Present, not voting . . .	1

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--30.

Senator present and not voting was: Haynes--1.

A motion to reconsider was tabled.

Senate Bill No. 1055 -- Water -- As introduced, requires any public water system or waterworks system that discontinues the fluoridation of its water supply to give notice of such discontinuance to the Departments of Health and Environment and Conservation within 10 days of decision and public notice to customers in the next general mailing, which must be 30 days prior to discontinuance. Amends TCA Title 68, Chapter 221.

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Senator Southerland moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting subsection () in Section 1 and substituting instead the following:

() Any public water system or waterworks system as defined in this title, which determines to initiate or cease fluoridation of its water supply, shall notify the Department of Environment and Conservation and the Department of Health of its decision within ten (10) days of the decision. The water system shall additionally give public notice to its customers in the next general mailing, such mailing to be thirty (30) days prior to initiation or discontinuance.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1055**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 1293 -- Personal Property -- As introduced, revises various provisions of the "Tennessee Self-Service Storage Facility Act". Amends TCA Title 66, Chapter 31.

Senator Faulk declared Rule 13 on **Senate Bill No. 1293**.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the amendatory language of Section 7 and substituting instead the following:

The lien attaches when personal property is placed in the leased space.

AND FURTHER AMEND by adding to the amendatory language of Section 8(b) after the first sentence the following:

The rental agreement shall also include the late fee, if any, and when it may be imposed.

AND FURTHER AMEND by deleting from the third sentence of the amendatory language of Section 8(c) the language "may be computed as the greater of forty dollars a month" and substituting instead the language "is not more than the greater of twenty dollars (\$20.00) a month".

AND FURTHER AMEND by deleting from the amendatory language of Section 8(c) the following:

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The owner may impose a lien fee.

AND FURTHER AMEND by deleting Section 9 and substituting instead the following:

SECTION 9. Tennessee Code Annotated, Section 66-31-105, is amended by deleting the following language:

The enforcement of the owner's lien against an occupant who is in default shall be in accordance with the following:

(1) No enforcement action shall be taken by the owner until the occupant has been in default continuously for a period of thirty (30) days;

(2) After the occupant has been in default continuously for a period of thirty (30) days, the owner shall have the right to enforce the owner's lien in accordance with the following:

and by substituting instead the following:

The enforcement of the owner's lien against an occupant who is in default may be done in accordance with either or both of the following procedures:

(1) In the case of short term default, denial of access:

(A) Upon the failure of a occupant to pay the rent for the storage space or unit when it becomes due, the owner may, without notice, deny the occupant access to the personal property located in the self-service storage facility or self-contained storage unit, and the owner without notice, not less than five (5) days after the date the rent is due, may enter and remove the personal property from the leased space to other suitable storage space pending its sale or other disposition; and

(B) The owner shall notify the occupant of the owner's intent to enforce the owner's lien by written notice delivered by hand delivery, by verified mail, or by electronic mail to the occupant's last known address; or

(2) In the case of long-term default, which is a continuous fifteen (15) days, the owner may enforce the owner's lien in accordance with the following procedures:

AND FURTHER AMEND by inserting in the second sentence of the amendatory language of Section 14 between the words "potential" and "bidders" the word "independent".

AND FURTHER AMEND by deleting in subdivision (N) in Section 18 the language "in document" and substituting instead the language "in a document".

AND FURTHER AMEND by deleting subdivision (O) in Section 18 and substituting instead the following:

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(O) An owner shall not be entitled to any remedies provided by this chapter, including but not limited to, enforcement of a lien against an occupant, if:

(i) The requirements of this section are not satisfied;

(ii) The sale of the personal property located in the leased space is not in conformity with § 66-31-105(2)(G); or

(iii) There is a willful violation of any provision of this chapter.

AND FURTHER AMEND by deleting Section 16 in its entirety.

On motion, Amendment No. 1 was adopted.

Senator Southerland moved that **Senate Bill No. 1293**, as amended, be moved three places down on the Calendar for today, which motion prevailed.

Senate Bill No. 1312 -- Business Organizations -- As introduced, clarifies various provisions relative to business organizations. Amends TCA Title 48 and Title 61.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Section 48-11-301(d), is amended by deleting the language "or legal".

SECTION __. Tennessee Code Annotated, Section 48-11-301(l), is amended by inserting the language "or other electronic means" between the language "transmission" and the punctuation ".".

SECTION __. Tennessee Code Annotated, Section 48-11-309, is amended by deleting subsection (c) in its entirety and by substituting instead the following:

(c) Subject to any qualification stated in the certificate, a certificate of existence or authorization issued by the secretary of state is effective as of the date on the certificate and may be relied upon as conclusive evidence that the domestic or foreign corporation is in existence or is authorized to transact business in this state and is in good standing.

SECTION __. Tennessee Code Annotated, Section 48-51-309, is amended by deleting subsection (c) in its entirety and by substituting instead the following:

(c) Subject to any qualification stated in the certificate, a certificate of existence or authorization issued by the secretary of state is effective as of the date on the certificate and may be relied upon as conclusive evidence that the domestic or foreign corporation is in existence or is authorized to transact business in this state and is in good standing.

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SECTION __. Tennessee Code Annotated, Section 48-247-101(d), is amended by deleting the language "or legal".

SECTION __. Tennessee Code Annotated, Section 48-249-1005(d), is amended by deleting the language "or legal".

SECTION __. Tennessee Code Annotated, Section 61-2-1101(d), is amended by deleting the language "or legal".

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1312**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 1533 -- Intellectual & Developmental Disabilities -- As introduced, redefines "developmental disability" and "intellectual disability"; makes technical changes to reflect changes made by 2010 Public Chapters 734 and 1100. Amends TCA Title 2; Title 4; Title 5; Title 8; Title 10; Title 12; Title 13; Title 33; Title 37; Title 40; Title 48; Title 49; Title 55; Title 56; Title 63; Title 68 and Title 71, Chapter 6.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-12-114(b)(1)(D), is amended by deleting the language "and mental retardation" and substituting instead the language "intellectual and developmental disabilities".

SECTION 2. Tennessee Code Annotated, Section 4-3-2702(c), is amended by deleting the language "developmental disabilities" and by substituting instead the language "intellectual or developmental disabilities".

SECTION 3. Tennessee Code Annotated, Section 4-31-702, is amended by deleting the language "mental retardation" wherever it appears and by substituting in its place the following language "intellectual and developmental disabilities".

SECTION 4. Tennessee Code Annotated, Section 5-9-101, is amended in subdivision (3) by deleting the subdivision in its entirety and substituting instead the language: "For the support of people who are indigent or have mental illness or intellectual or developmental

disabilities;" and is further amended in subdivision (24) by deleting the language "mentally ill and the mentally retarded" and by substituting instead the language "people with mental illness or intellectual or developmental disabilities".

SECTION 5. Tennessee Code Annotated, Section 8-30-208(b)(7), is amended by deleting the language "mental health/mental retardation institutions" and by substituting instead the language "mental health institutes or developmental centers".

SECTION 6. Tennessee Code Annotated, Section 10-7-504(c), is amended by deleting the language "mental retardation" and by substituting instead the language "intellectual and developmental disabilities".

SECTION 7. Tennessee Code Annotated, Section 12-2-117(a), is amended by deleting the following language from the first sentence "or developmental disabilities".

SECTION 8. Tennessee Code Annotated, Section 13-24-101(a), is amended by deleting the language "mentally retarded, mentally handicapped or physically handicapped persons" wherever it appears and by substituting instead the language "mentally handicapped persons or persons with intellectual or physical disabilities".

SECTION 9. Tennessee Code Annotated, Section 13-24-102, is amended by deleting "mentally retarded, mentally handicapped or physically handicapped persons" wherever it appears and by substituting instead the language "mentally handicapped persons or persons with intellectual or physical disabilities" and is further amended by deleting the word "houseparents" and by substituting instead "support staff".

SECTION 10. Tennessee Code Annotated, Section 33-1-101(10) and (11), are amended by deleting these subdivisions in their entirety and substituting therefore the following language:

(10) "Developmental center" means a department of intellectual and developmental disabilities facility or part of it that provides residential and habilitation services to persons with intellectual disabilities;

(11)(A) "Developmental disability" in a person over five (5) years of age means a condition that:

(i) Is attributable to a mental or physical impairment or combination of mental and physical impairments;

(ii) Manifested before twenty-two (22) years of age;

(iii) Likely to continue indefinitely;

(iv) Results in substantial functional limitations in three (3) or more of the following major life activities:

(a) Self-care;

(b) Receptive and expressive language;

(c) Learning;

(d) Mobility;

(e) Self-direction;

(f) Capacity for independent living; or

(g) Economic self-sufficiency; and

(v) Reflects the person's need for a combination and sequence of special interdisciplinary or generic services, supports, or other assistance that is likely to continue indefinitely and need to be individually planned and coordinated.

(B) "Developmental Disability" in a person up to five (5) years of age means a condition of substantial developmental delay or specific congenital or acquired conditions with a high probability of resulting in developmental disability as defined for persons over five (5) years of age if services and supports are not provided;

SECTION 11. Tennessee Code Annotated, Section 33-1-101(16), is amended by deleting the subdivision in its entirety and substituting in its place the following language:

(16)(A) "Intellectual disability" means a mental impairment:

(i) Shown by significantly sub-average intellectual ability defined as, an I.Q. of seventy (70) or below on an individually-administered I.Q. test;

(ii) That exists concurrently with related limitations in two (2) or more of the following adaptive skill areas: communication, self-care, home living, social skills, community use, self-direction, health and safety, functional academics, leisure and work; and

(iii) That is diagnosed or otherwise manifested before eighteen (18) years of age;

(B) "Intellectual Disability" means, until March 1, 2002, significantly sub-average general intellectual functioning existing concurrently with deficits in adaptive behavior that are manifested during the developmental period.

(C) References to "mental retardation" in all instances, notwithstanding other provisions of law, shall be deemed to be references to "intellectual disability";

SECTION 12. Tennessee Code Annotated, Section 33-1-101(24), is amended by deleting the subdivision in its entirety and is further amended by renumbering the remaining subdivisions accordingly.

SECTION 13. Tennessee Code Annotated, Section 33-1-309(b), is amended by deleting the word "division" and by substituting instead the word "department".

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SECTION 14. Tennessee Code Annotated, Section 33-2-402(4), is amended by deleting the language "deputy commissioner of health" and by substituting instead the language "deputy commissioner of mental health".

SECTION 15. Tennessee Code Annotated, Section 33-2-408(b)(3), is amended by adding the following language after the word "neglect" and before the word "or":

exploitation, misappropriation.

SECTION 16. Tennessee Code Annotated, Section 33-3-108(b), is amended by adding the language "misappropriation" after the word and punctuation "neglect," wherever it appears.

SECTION 17. Tennessee Code Annotated, Section 33-5-110(a), is amended by deleting the language "Tennessee division of intellectual disabilities services" and by substituting instead the language "department of intellectual and developmental disabilities".

SECTION 18. Tennessee Code Annotated, Section 33-5-110, is amended by deleting the language "DIDS" wherever it appears and by substituting instead the language "DIDD".

SECTION 19. Tennessee Code Annotated, Section 37-1-102(b)(23)(B), is amended by deleting the language "retardation" and by substituting instead the language "intellectual disability".

SECTION 20. Tennessee Code Annotated, Section 40-28-115(g)(1), is amended by deleting the language "retarded" and by substituting instead the language "intellectually disabled".

SECTION 21. Tennessee Code Annotated, Section 48-101-301(5) and (15)(E), is amended by deleting the language "physically or mentally retarded individuals" wherever it appears and by substituting instead the language "individuals with physical and/or intellectual disability".

SECTION 22. Tennessee Code Annotated, Section 48-101-302(b), is amended by deleting the language "physically and mentally retarded individuals" and by substituting instead the language "individuals with physical and/or intellectual disability".

SECTION 23. Tennessee Code Annotated, Section 48-101-308(a)(7) and (8), is amended by deleting the language "physically and mentally retarded individuals" wherever it appears and by substituting instead the language "individuals with physical and/or intellectual disability".

SECTION 24. Tennessee Code Annotated, Section 49-2-115(b), is amended by deleting the language "mental health and mental retardation" and by substituting instead the language "mental health, intellectual and developmental disabilities".

SECTION 25. Tennessee Code Annotated, Section 49-5-5004(c), is amended by deleting the language "mental health and mental retardation" and by substituting instead the language "mental health, intellectual and developmental disabilities".

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SECTION 26. Tennessee Code Annotated, Section 49-8-802(a), is amended by deleting the language "and mental health and mental retardation" and by substituting instead the language "mental health, and intellectual and developmental disabilities".

SECTION 27. Tennessee Code Annotated, Section 49-10-902(a)(2), is amended by deleting the language "the mentally retarded" and by substituting instead the language "people with intellectual disability".

SECTION 28. Tennessee Code Annotated, Section 55-50-323(a)(6)(B), is amended by deleting "mentally retarded or physically handicapped person" and by substituting instead "person with an intellectual or physical disability" and is further amended by deleting "mentally retarded person" and by substituting instead "person with an intellectual disability" and by deleting "retardation or physical handicap" wherever it appears and by substituting instead "intellectual or physical disability".

SECTION 29. Tennessee Code Annotated, Section 56-7-2503, is amended by deleting the language "mentally retarded" wherever it appears and by substituting instead the language "intellectually disabled".

SECTION 30. Tennessee Code Annotated, Section 56-7-2601(b), (c)(1), and (e), are amended by deleting the language "mental retardation" wherever it occurs and by substituting instead the language "intellectual disability".

SECTION 31. Tennessee Code Annotated, Section 63-7-102(10)(B), is amended by deleting the language "persons with mental retardation" and by substituting instead the language "people with intellectual disabilities".

SECTION 32. Tennessee Code Annotated, Section 63-7-102(10)(C), is amended in the first sentence by deleting the language "the mentally retarded" and by substituting instead the language "people with intellectual disabilities".

SECTION 33. Tennessee Code Annotated, Section 63-11-208(e)(3) and (e)(4), are amended by deleting the language "mental retardation" wherever it occurs and by substituting instead the language "intellectual disability".

SECTION 34. Tennessee Code Annotated, Section 68-1-904(c)(1), is amended by deleting the language "persons with mental retardation" and by substituting instead the language "persons with intellectual disability", and by deleting the language "the mentally retarded" wherever it occurs and by substituting instead the language "persons who have intellectual disability".

SECTION 35. Tennessee Code Annotated, Section 68-5-401(a)(1), is amended by deleting the language "mental retardation" and by substituting instead the language "intellectual disability".

SECTION 36. Tennessee Code Annotated, Section 68-5-502(a), is amended by deleting the language "mental retardation" and by substituting instead the language "intellectual disability".

SECTION 37. Tennessee Code Annotated, Section 68-5-504(b)(1), is amended by deleting the language "mental retardation" and by substituting instead the language "intellectual disability".

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SECTION 38. Tennessee Code Annotated, Section 68-11-705, is amended by deleting the language "mentally ill and mentally retarded persons" and by substituting instead the language "persons with mental illness or intellectual disability".

SECTION 39. Tennessee Code Annotated, Section 68-11-1602(7)(A), is amended by deleting the language "mental retardation institutional habilitation facility" and by substituting instead the language "intellectual disability institutional habilitation facility".

SECTION 40. Tennessee Code Annotated, Section 68-11-1625(f)(14), is amended by deleting the language "Mental retardation institutional habilitation facilities" and by substituting instead the language "Intellectual disability institutional habilitation facilities".

SECTION 41. Tennessee Code Annotated, Section 71-6-113(b), is amended by deleting the language "physical illness, mental retardation or developmental disabilities" and by substituting instead the language "physical illness, intellectual disability or developmental disabilities".

SECTION 42. Tennessee Code Annotated, Section 71-6-124(a)(1)(A), is amended by deleting the language "mental retardation" and by substituting instead the language "intellectual disabilities" and is further amended by deleting the language "division of intellectual disabilities services (DIDS), department of finance and administration" and by substituting instead the following language "the department of intellectual and developmental disabilities (DIDD)".

SECTION 43. Tennessee Code Commission is authorized to make changes to appropriate provisions of Tennessee Code Annotated in order to effectuate the intent of Public Chapters 734 and 1100 of the Public Acts of 2010 with respect to references to mental retardation and similar terms and the creation of the department of intellectual and developmental disabilities.

SECTION 44. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 45. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator McNally moved to amend as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 1

AMEND by deleting the following language from subdivision (11)(A)(iv) of the amendatory language of Section 10:

(f) Capacity for independent living; and

(g) Economic self-sufficiency; or

and by substituting instead the language:

(f) Capacity for independent living; or

(g) Economic self-sufficiency; and

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

On motion, Amendment No. 1, as amended, was adopted.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 2

AMEND by adding the following new section, to be designated as Section 30, and by renumbering the remaining sections accordingly:

SECTION 30. Tennessee Code Annotated, Section 71-2-104(b), is amended by deleting the language "twenty-three (23)" and by substituting instead the language "twenty-four (24)".

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 1533**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 1569 -- Insurance Companies, Agents, Brokers, Policies -- As introduced, provides that the marketing, sale, offering for sale, issuance, making, proposing to make and administration of a service contract shall not be construed to be the business of insurance and shall be exempt from regulation as insurance pursuant to Title 56. Amends TCA Title 56.

Senator Tracy declared Rule 13 on **Senate Bill No. 1569**.

Senator Ketron declared Rule 13 on **Senate Bill No. 1569**.

Senator Ford declared Rule 13 on **Senate Bill No. 1569**.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by inserting the language ", road hazard" between the language "rental" and "and emergency road service" in subsection (b) of the amendatory language of Section 1.

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On motion, Amendment No. 1 was adopted.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 2

AMEND by adding the following language between the first and second sentences in subsection (b) in Section 1:

"Service contract" shall include motor vehicle extended service contracts and agreements.

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 1569**, as amended, passed its third and final consideration by the following vote:

Ayes	26
Noes	2
Present, not voting . . .	4

Senators voting aye were: Barnes, Beavers, Bell, Berke, Campfield, Crowe, Faulk, Finney, Gresham, Haynes, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--26.

Senators voting no were: Henry and Herron--2.

Senators present and not voting were: Burks, Ford, Harper and Marrero--4.

A motion to reconsider was tabled.

FURTHER ACTION ON SENATE BILL NO. 1293, AS AMENDED

Senator Southerland moved that **Senate Bill No. 1293**, as amended, be placed on the Calendar for Monday, April 4, 2011, which motion prevailed.

Senator Ketron moved that **Senate Bill No. 1765** be placed at the heel of the Calendar for today, which motion prevailed.

Senator Johnson moved that **Senate Bill No. 1800** be placed at the heel of the Calendar for today, which motion prevailed.

Madam Speaker Pro Tempore Woodson moved that **Senate Bill No. 1912** be placed on the Calendar for Monday, April 4, 2011, which motion prevailed.

Senate Joint Resolution No. 30 -- General Assembly, Directed Studies -- Directs planning concerning composting food waste and paper, and recycling construction waste.

Senator Southerland moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all of the language after the caption and substituting instead the following:

WHEREAS, the One Hundred and Fifth General Assembly passed Chapter 462 of the Public Acts of 2007 concerning several aspects of solid waste including planning for the handling and disposal of solid waste; and

WHEREAS, the Tennessee Department of Environment and Conservation faithfully worked to develop new regulations with the involvement of citizens and local solid waste managers; and

WHEREAS, the Solid Waste Disposal Control Board did not approve the regulations which were primarily concerned with counting solid waste and local government reports; and

WHEREAS, Chapter 462 of the Public Acts of 2007 stated that if the Solid Waste Disposal Control Board considered a rule, the Board must consider the use of incentives, disincentives, public education, costs and benefits of recycling, and the widely varying circumstances of the different solid waste regions; and

WHEREAS, the Solid Waste Disposal Control Board did not consider the very real costs of not recycling, including the burden placed on multiple landfills in Tennessee by not removing recyclables from the waste stream; and

WHEREAS, the Solid Waste Disposal Control Board did not consider multiple examples where private sector jobs are created and profits made by composting food waste and unrecycled paper, which cleans the landfills as well as recycles construction waste; and

WHEREAS, the One Hundred and Sixth General Assembly passed Chapter 698 of the Public Acts of 2010, authorizing Tennessee State University and Middle Tennessee State University to research and develop methods to address how to use the materials in solid waste as raw materials to create jobs, business and compost; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED SEVENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the General Assembly commends the Department of Environment and Conservation, the Solid Waste Disposal Control Board, and citizens, including public works managers, from across the state for their efforts.

BE IT FURTHER RESOLVED, that the General Assembly urges there be further planning aimed at composting food waste and unrecycled paper by private business as well as recycling and reusing construction waste.

BE IT FURTHER RESOLVED, that the Tennessee Department of Environment and Conservation is urged to work with Tennessee State University and Middle Tennessee State University to secure federal and private funding for solid waste planning as well as actively involve federal agencies on their university campuses.

BE IT FURTHER RESOLVED, that the General Assembly places high priority on private businesses composting and recycling construction waste to eliminate the burden placed on landfills that results from not removing recyclables from the waste stream, and to

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create jobs, and urges the Department of Environment and Conservation and the Solid Waste Disposal Control Board to work toward this goal with Tennessee State University and Middle Tennessee State University, citizens, and public solid waste managers.

BE IT FURTHER RESOLVED, that a copy of this joint resolution be transmitted to the commissioner of the Department of Environment and Conservation and to the Solid Waste Disposal Control Board.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Joint Resolution No. 30**, as amended, was adopted by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senator Johnson moved that **Senate Bill No. 829** be placed on the Calendar for Thursday, March 31, 2011, which motion prevailed.

Senate Bill No. 922 -- Election Laws -- As introduced, eliminates early voting period for a municipal election in a municipality having a population of 5,000 or less, if there is no opposition for any office in the election and the election is held on a date which does not coincide with the August or November general election unless the municipality files a request with the County Election Commission for the early voting period to apply. Amends TCA Title 2, Chapter 6, as amended.

Senator Haynes declared Rule 13 on **Senate Bill No. 922**.

Senator Henry moved that Amendment No. 5 be placed behind Amendment No. 6, which motion prevailed.

Senator Henry moved to amend as follows:

AMENDMENT NO. 6

AMEND by designating subsection (b), as amended, as subdivision (b)(1), by deleting the word "In" in such subsection, and by substituting instead the language "Except as provided in subdivision (2), in".

AND FURTHER AMEND by adding the following language as a new subdivision (2) to subsection (b):

(2) Subdivision (1) shall not apply to municipal elections held in the largest municipality located in a county having a metropolitan form of government which has a population in excess of five hundred thousand (500,000), according to the 2000 federal census or any subsequent federal census.

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On motion, Amendment No. 6 was adopted.

On motion of Senator Henry, Amendment No. 5 was withdrawn.

Thereupon, **Senate Bill No. 922**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 1030 -- Wine & Wineries -- As introduced, allows direct shipper to ship wine to any address in the state. Amends TCA Section 57-3-217.

Senate Bill No. 1030 passed its third and final consideration by the following vote:

Ayes	21
Noes	7
Present, not voting . . .	2

Senators voting aye were: Barnes, Berke, Crowe, Faulk, Ford, Gresham, Harper, Haynes, Henry, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Summerville, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--21.

Senators voting no were: Beavers, Bell, Burks, Campfield, Herron, Southerland and Stewart --7.

Senators present and not voting were: Finney and Roberts--2.

A motion to reconsider was tabled.

Senate Bill No. 213 -- Sunset Laws -- As introduced, extends the occupational safety and health administration labor advisory council, June 30, 2015. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 3, Part 9.

On motion, Senate Bill No. 213 was made to conform with **House Bill No. 619**.

On motion, House Bill No. 619, on same subject, was substituted for Senate Bill No. 213.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 619** passed its third and final consideration by the following vote:

Ayes	31
Noes	0

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Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 1800 -- Criminal Offenses -- As introduced, revises various criminal provisions relative to the use of any bank, savings and loan association, savings bank or subsidiary's trade name or trademark. Amends TCA Title 39; Title 45; Title 47 and Title 56.

Senator Johnson declared Rule 13 on **Senate Bill No. 1800**.

Senator Overbey declared Rule 13 on **Senate Bill No. 1800**.

On motion, Senate Bill No. 1800 was made to conform with **House Bill No. 1656**.

On motion, House Bill No. 1656, on same subject, was substituted for Senate Bill No. 1800.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by inserting the following language after the word "person" in the first sentence of subdivision (E) in Section 3: ", other than the lender or a person authorized by the lender,".

On motion, Amendment No. 1 was adopted.

On motion of Senator Beavers, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 1656**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

Senator Ketron moved that **Senate Bill No. 1765** be placed on the Calendar for Thursday, March 31, 2011, which motion prevailed.

MOTION

Senator Gresham moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 1869** on the calendar for the Committee on Education for Wednesday, March 30, 2011, which motion prevailed.

MOTION

Senator Tate moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 185**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 185 -- Memorials, Recognition -- The Links Day on the Hill, March 30, 2011.

On motion of Senator Tate, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 185** was concurred in.

A motion to reconsider was tabled.

MOTION

On motion of Senators Berke, Marrero, Barnes, Ford and Herron, their names were added as sponsors of **Senate Bill No. 350**.

On motion of Senator Stewart, his name was added as sponsor of **Senate Bill No. 1119**.

On motion of Senator Woodson, her name was added as sponsor of **Senate Bill No. 1171**.

On motion of Senator Overbey, his name was added as sponsor of **Senate Bill No. 1271; and Senate Joint Resolution No. 30**.

On motion of Senator Yager, his name was added as sponsor of **Senate Bill No. 1533; and House Joint Resolution No. 163**.

On motion of Senator Haynes, his name was added as sponsor of **Senate Bills Nos. 1563 and 1564**.

On motion of Senators Herron and Overbey, their names were added as sponsors of **Senate Bill No. 1855**.

On motion of Senators Herron, Tracy, Roberts, Harper and Haynes, their names were added as sponsors of **Senate Joint Resolution No. 139**.

On motion of Senator Crowe, his name was added as sponsor of **Senate Joint Resolution No. 143**.

On motion of Senators Herron, Tracy, Overbey and Berke, their names were added as sponsors of **House Joint Resolution No. 161**.

On motion of Senators Berke and Watson, their names were added as sponsors of **House Joint Resolution No. 162**.

On motion of Senators Tracy, Berke and Stewart, their names were added as sponsors of **House Joint Resolution No. 164**.

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On motion of Senator Faulk, his name was added as sponsor of **House Joint Resolution No. 167**.

On motion of Senators Ford, Herron, Tracy, Overbey, Berke, Harper and Crowe, their names were added as sponsors of **House Joint Resolution No. 169**.

ENGROSSED BILLS

March 28, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 350, 922, 1030, 1055, 1119, 1271, 1312, 1446, 1533, 1537, 1569 and 1855; and Senate Joint Resolutions Nos. 30, 139, 140 and 143; and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

March 28, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 18, 129, 207, 385, 491, 503, 588, 592, 665, 850, 1128, 1172, 1206, 1265, 1354, 1577 and 2127; passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 28, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 619, passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 28, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1189, passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 28, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1845, passed by the House.

JOE MCCORD,
Chief Clerk.

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MESSAGE FROM THE HOUSE

March 28, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 173, 174, 175, 176, 178 and 180; adopted, for the Senate's action.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 28, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 185, adopted, for the Senate's action.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 28, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 57, 484, 513 and 538; substituted for House Bills on same subjects and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 28, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 98, 106 and 264; substituted for House Bills on same subjects and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 28, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 598, substituted for House Bill on same subject and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 28, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 861, substituted for House Bill on same subject and passed by the House.

JOE MCCORD,
Chief Clerk.

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MESSAGE FROM THE HOUSE

March 28, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 877, substituted for House Bill on same subject and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 28, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1531, substituted for House Bill on same subject and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 28, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1569, substituted for House Bill on same subject and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 28, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 129, 130, 131, 132, 133, 134, 136 and 138; concurred in by the House.

JOE MCCORD,
Chief Clerk.

ENROLLED BILLS

March 29, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bills Nos. 57, 98, 106, 264, 484, 513, 538, 598, 861, 877, 1531 and 1569; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

ENROLLED BILLS

March 29, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 129, 130, 131, 132, 133, 134, 136 and 138; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

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MESSAGE FROM THE HOUSE

March 29, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 161, 162, 163, 164, 167, 169 and 185; for the signature of the Speaker.

JOE MCCORD,
Chief Clerk.

SIGNED

March 29, 2011

The Speaker announced that he had signed the following: Senate Bills Nos. 18, 105, 161, 215, 379, 807, 850, 931, 990 and 1050.

SIGNED

March 29, 2011

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 129, 130, 131, 132, 133, 134, 136 and 138.

SIGNED

March 29, 2011

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 161, 162, 163, 164, 167, 169 and 185.

MESSAGE FROM THE HOUSE

March 29, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 129, 130, 131, 132, 133, 134, 136 and 138; signed by the Speaker.

JOE MCCORD,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

March 29, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 129, 130, 131, 132, 133, 134, 136 and 138; for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

March 28, 2011

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolution No. 121, with his approval.

HERBERT H. SLATERY III,
Counsel to the Governor.

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MESSAGE FROM THE GOVERNOR

March 29, 2011

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bill No. 334, with his approval.

HERBERT H. SLATTERY III,
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 31, 2011: Senate Joint Resolutions Nos. 144, 146, 147 and 148; Senate Resolutions Nos. 24 and 25; and House Joint Resolutions Nos. 168 and 170.

This the 29th day of March, 2011.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 31, 2011: Senate Bills Nos. 407, 408, 549, 684, 842, 878, 1001, 1445, 1544, 1685 and 1727.

This the 29th day of March, 2011.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
LOCAL BILL
CONSENT CALENDAR**

Pursuant to Rule 26, the following bills have been set on the Consent Calendar for Thursday, March 31, 2011: Senate Bills Nos. 242, 446, 697, 1193, 1231 and 2089.

This the 29th day of March, 2011.
MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 31, 2011: Senate Bills Nos. 198, 256, 636, 721, 777, 827, 1722, 1854, 325, 626, 829, 935 and 1765.

This the 29th day of March, 2011.
MIKE FAULK, Chairperson.

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**REPORT OF COMMITTEE ON CALENDAR
SENATE MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Thursday, March 31, 2011: Senate Bills Nos. 339 and 1528.

This the 29th day of March, 2011.
MIKE FAULK, Chairperson.

ADJOURNMENT

Senator Norris moved the Senate adjourn until 9:00 a.m., Thursday, March 31, 2011, which motion prevailed.